

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROY D. NEWPORT, *et al.*, No. C 10-04511 WHA

Plaintiffs/Counter-Defendants,

v.

BURGER KING CORPORATION,

Defendant/Counter-Claimant,

v.

ANTELOPE VALLEY RESTAURANTS, INC, *et al.*,

Counter-Defendants.

MOHAN VALLABHAPURAPU, *et al.*,

Plaintiffs,

No. C 11-667 WHA

v.

BURGER KING CORPORATION,

Defendant.

**ORDER GRANTING BURGER
KING CORPORATION
PERMISSION TO FILE
MOTION FOR SUMMARY
JUDGMENT AND OTHERWISE
STAYING *NEWPORT* ACTION**

All proceedings in *Newport v. Burger King Corporation*, No. 10-4511, are stayed pending further order with the sole exception that Burger King Corporation may bring a summary judgment motion, limited to twenty pages in briefing and two hundred pages in exhibits, directed solely at whether the *Day* settlement created any rights in favor of the franchisees so as to create a duty of care in their favor. All oppositions must be joint and must be limited to twenty pages and

1 two hundred pages of exhibits. The reply shall be ten pages (no exhibits). Said motion may be
2 brought within 14 calendar days of the date of this order. The same motion must also be filed in
3 *Vallabhapurapu v. Burger King Corporation*, No. 11-667, so as to have parallel effect in both
4 cases.

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6 **IT IS SO ORDERED.**

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8 Dated: January 4, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE